

10/533834

Reg'd PCTO 04 MAY 2005

PATENT COOPERATION TREATY

PCT

REC'D 01 MAR 2005

WIPO PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 100865-1 WO	FOR FURTHER ACTION See Form PCT/IEPA/416	
International application No. PCT/SE 2003/001704	International filing date (day/month/year) 05.11.2003	Priority date (day/month/year) 05.11.2002
International Patent Classification (IPC) or national classification and IPC B65D55/14, B65D50/06, B65D24/04		
Applicant AstraZeneca AB et al		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 4 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input checked="" type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand 19.05.2004	Date of completion of this report 18.02.2005
Name and mailing address of the IEPA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Anette Hall/EK Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE 2003/001704

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - pages 1 - 10 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☒ the claims:
 - pages _____ as originally filed/furnished
 - pages* _____ as amended (together with any statement) under Article 19
 - pages* 11 - 14 received by this Authority on 11.02.2005
 - pages* _____ received by this Authority on _____
 - ☒ the drawings:
 - pages 1 - 13 _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to the sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE 2003/001704

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 33

because:

☒ the said international application, or the said claims Nos. 33
relate to the following subject matter which does not require an international preliminary examination (*specify*):

Claim 33 is not clear and concise since the invention is defined only by reference to an accompanying figure.

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 33

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in the Annex C-*bis* of the Administrative Instructions.

☐ See Supplemental Box for further details.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE 2003/001704

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-32</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1-32</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1-32</u>	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

The claimed invention relates to a child resistant container for holding, for example, tablets or liquids and a method for providing a locking arrangement. A locking part can be moved by an actuator when the closure is moved.

Documents cited in the International Search Report:

D1: US, 6082572, A
D2: US, 3931891, A
D3: US, 3693820, A
D4: US, 4779747, A

In claim 1, line 8, and claim 7, line 8, the order of the first and second position seems to be reversed when compared to what is disclosed in the description. Claims 1 and 7 are understood to describe the order as it is disclosed in the description.

The cited documents represent the general state of the art. The inventions defined in claims 1-32 are not disclosed by any of these documents.

The cited prior art does not give any indication that would lead a person skilled in the art to the claimed method for providing a locking arrangement for a container and a container. Therefore, the claimed inventions are not obvious to a person skilled in the art.

Accordingly, the inventions defined in claims 1-32 are novel and are considered to involve an inventive step. The inventions are industrially applicable.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE 2003/001704

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1-6, 7, 9, 10, 20 and 24-28, and consequently their dependent claims, are not drafted in a "clear and concise" manner as is called for in PCT Article 6 since the invention is defined by results to be achieved or methods. Stating results can not be considered as "defining" the invention by technical features of the invention, but instead makes it unclear what design features the sought protection in fact refers to. Claims must be drafted in terms of the "technical features of the invention". A method claim should be defined by activities.

Claim 1, line 8, and claim 7, line 8: should not the first and second position be mentioned in reverse order? According to the description the order should be reversed.

What is meant by "the actuator ...to the closed condition" in claim 1?

What is meant by "the actuator ...to the open condition" in claim 2?

What is meant by "the actuator moves ... by the locking part" in claim 3?

What is meant by "as the closure ... locking element" in claim 4?

What is meant by "is moved by... locking part" in claim 5?

What is meant by "as the closure is moved... to the first position" in claim 6?

What is meant by "the arrangement of the ...no longer aligned" in claims 9 and 10?

Claim 20: is the ramp really disposed above the track?

Claims 24-28 are not clear and concise since the invention is defined only by reference to previous claims.

CLAIMS

1. A method for providing a locking arrangement for a container comprising;
a hollow body formed with an opening;
a closure being movable between a closed condition wherein the closure covers the opening and an open condition wherein the closure does not cover the opening;
a locking part for securing the closure onto the container, the locking part being moveable between a first position wherein the locking part secures the closure onto the container and a second position wherein the closure is moveable between the closed condition and the open condition; and an actuator for moving the locking part between the first and second positions; the method characterised in that the actuator moves the locking part from the second position to the first position as the closure is moved from the open condition to the closed condition.
2. A method as claimed in claim 1, wherein the actuator moves the locking part from the second position to the first position as the closure is moved from the closed condition to the open condition.
3. A method as claimed in claim 2, wherein if the locking part is in the second position and the closure is moved from the open condition to the closed condition, the actuator moves the locking part from the second position to the first position wherein the closure is secured onto the container by the locking part.
4. A method as claimed in any one of the previous claims, wherein the closure and the locking part comprise respective cooperating locking elements, and wherein as the closure is moved between the closed and open conditions one of the locking elements is moved by the actuator relative to the other locking element.
5. A method as claimed in claim 4, wherein as the closure is moved from the closed condition to the open condition one of the locking elements is moved by the actuator relative to the other locking element and the locking part is moved to the first position wherein the closure is secured onto the container by the locking part.
6. A method as claimed in claim 4, wherein the cooperating locking elements are located on the body and the locking part, and wherein as the closure is moved from the open condition to the closed condition one of the locking elements is moved by the actuator relative to the other locking element and the locking part is moved to the first position and as the closure is moved from the closed condition to the open condition one of the locking elements is moved by the actuator relative to the other locking element such that the locking part is moved to the first position.

7. A container comprising;
a hollow body formed with an opening;
a closure being movable between a closed condition wherein the closure covers the opening and an open condition wherein the closure does not cover the opening;
a locking part for securing the closure onto the container, the locking part being moveable between a first position wherein the locking part secures the closure onto the container and a second position wherein the closure is moveable between the closed condition and the open condition, and an actuator for moving the locking part between the first and second positions; characterised in that the locking part is a locking ring rotatable by the actuator during the movement of the closure from the open condition to the closed condition.
8. A container as claimed in claim 7, wherein the actuator comprises an elongate member disposed on the inside of the closure, and the locking ring comprises a ramp, the ramp being sloped such that, in use, when the elongate member makes contact with the ramp and is slid progressively along a surface of the ramp, rotation of the locking ring results such that the indicators on the body and/or closure and the locking part are no longer aligned.
9. A container as claimed in claim 8, wherein the arrangement of the elongate member and the ramp is such that, in use, when the closure is moved from the closed condition to the open condition the elongate member makes contact with a first surface of the ramp and rotation of the locking ring results such that the indicators on the body and/or closure and the locking part are no longer aligned.
10. A container as claimed in claim 8 or claim 9, wherein the arrangement of the elongate member and the ramp is such that when the closure is moved from the open condition to the closed and the indicators are aligned, the elongate member makes contact with a second surface of the ramp and rotation of the locking ring results such that the indicators on the body and/or closure and the locking part are no longer aligned.
11. A container as claimed in any one of claims 8 to 10, wherein the ramp protrudes from a radially inner surface of the locking ring.
12. A container as claimed in any one of claims 8 to 11, wherein in the ramp is a channel formed in the wall of locking ring, the central axis of the channel being at an angle from the axis of the ring.
13. A container as claimed in any one of claims 8 to 12, wherein the elongate member is a flexible cantilever.
14. A container as claimed in any one of claims 8 to 13, wherein the elongate member is hook shaped cantilever, extending from the inside surface of the closure.
15. A container as claimed in any one of the preceding claims 7 to 14, wherein the locking part is located between the body and the closure.

16. A container as claimed in claim 15, wherein the cooperating locking element located on the closure is a lug.
17. A container as claimed in claim 8, wherein the closure and the locking part comprise respective cooperating locking elements, and as the closure is moved between the closed and open conditions one of the locking elements is moved by the actuator relative to the other locking element and wherein the cooperating locking element located on the locking part is a circumferential flange on the inside surface of the locking part and the lug is formed on the elongate member, the flange being formed with a recessed portion through which the lug can pass during opening and closing of the closure.
18. A container as claimed in claim 17, wherein the ramp is disposed axially below the circumferential flange and generally inline with the recessed portion of the flange, the arrangement being such that there is a gap between the uppermost part of the ramp and the circumferential flange.
19. A container as claimed in claim 17, wherein the cooperating locking element located the locking part is a circumferential track attached to the inside surface of the locking part and the lug is formed with a distal head part, the lug extends from an inner surface of the closure, the track being formed with an access hole through which the head of the lug can pass during opening and closing of the closure.
20. A container as claimed in claim 18, wherein the ramp is disposed axially above the circumferential track.
21. A container as claimed in claim 20, wherein the arrangement of the ramp and the flange is such that upon rotation of the locking part in one direction the lug first passes through the gap and generally aligns with the recess before the elongate member makes contact with the ramp.
22. A container as claimed in any one of the preceding claims 7 to 21, wherein the body has an outlet, which can be sealed by a sealing element located on the closure.
23. A container as claimed in any one of claims 19 to 22, wherein the lug comprises a member formed with a barbed distal end.
24. A closure for a container according to any one of the preceding claims 7 to 23.
25. A locking part for a container according to any one of the preceding claims 7 to 23.
26. A hollow body for a container according to any one of the preceding claims 7 to 23.
27. A closure for a container according to any one of the preceding claims 7 to 23.

28. An actuator for a container according to any one of the preceding claims 7 to 23.
29. A container as claimed in any one of the preceding claims 7 to 23, wherein the container comprises a second containment volume.
30. A container as claimed in claim 29, wherein the container comprises a third containment volume.
31. A container as claimed in claim 29 or 30, wherein at least one of the further containment volumes is disposed at the upper volume of the body.
32. A container as claimed in claim 31, wherein at least one of the further containment volumes is sealed by the closure.
33. A closure and features of a closure substantially as herein described with reference to the accompanying Figures.